

**Article 3: Police Regulated Occupations and Businesses****Division 11: Junk Dealer, Junk Collector, SecondHand Dealer, Pawn Broker****§33.1101 Records Required — Reports Required**

All junk dealers, as defined in Business and Professions Code section 21601, pawnbrokers, as defined in Financial Code section 21000, and dealers in secondhand articles as defined in Business and Profession Code section 21626 shall keep a record in accordance with state law of any and all articles acquired by purchase, pledge or otherwise. The record and the articles shall at all times during ordinary business hours be subject to inspection by any police officer of said City. Such person shall, in addition to keeping such records, daily deliver to the Chief of Police, upon forms of a type and content which shall be approved by the Chief of Police for that purpose and setting forth a full, true and complete report of all such previously named articles acquired by purchase, pledge or otherwise by such persons during the entire calendar day preceding such report, together with the hour and date of the transaction and a reasonable description and true name of the person from whom such article was so acquired, as accurately as can be obtained by the person making such report. All records and forms shall be legible.

*(Amended 2-23-1987 by O-16812 N.S.)*

**§33.1102 Use of Fictitious Name Prohibited**

It shall be unlawful for any person to sign or give a fictitious name or address upon the deposit, sale or pledge of any goods, wares, merchandise or a thing of value, or for use in the report form required to be made by the provisions of this Division or for use in the register required to be kept by other provisions of law. Any such report made, delivered or received pursuant to this Division shall be open only to the inspection of the Police Department of said City, unless ordered exhibited by a court of competent jurisdiction.

*(Amended 2-23-1987 by O-16812 N.S.)*

**§33.1103 Records of Loans**

All pawnbrokers shall keep a record of all loans made by them, which shall at all times during ordinary business hours be open to inspection by any police officer of said City. Such record shall contain the names and addresses of all persons to whom loans are made, a reasonable description of such persons, the amounts of money

(11-2000)

loaned, the length of time during which such loan is to continue, and the rate of interest exacted for such loans.

*(Amended 2-23-1987 by O-16812 N.S.)*

### **§33.1104 Disposal of Merchandise — Regulations**

It shall be unlawful for any pawnbroker, secondhand dealer, or junk dealer to sell or otherwise dispose of any article, merchandise, or thing within thirty (30) days, except to the pledgor, after the same has been received or purchased or to fail to keep such article, merchandise or thing unaltered, as pledged or purchased, in lots separate and apart from other articles, merchandise or things in the place of business of such pawnbroker, secondhand dealer, or junk dealer, for a period of thirty (30) days from the date of pledge or purchase thereof, except upon the approval of the Chief of Police of The City of San Diego. All transactions hereunder shall be conducted only on the licensed premises.

*(Amended 2-23-1987 by O-16812 N.S.)*

### **§33.1105 Junk Yard — Operating Rules**

It shall be unlawful for any person to carry on, maintain or conduct a junk yard or to deal in secondhand articles in the City of San Diego, unless such business is carried on, maintained or conducted in compliance with the following regulations:

- (a) That such business shall be carried on, maintained or conducted entirely inside an enclosed building or buildings, unless the premises on which such business is carried on, maintained or conducted shall be entirely enclosed by a solid fence or wall constructed according to the requirements of the Building and Zoning Codes of said City.
- (b) That such fence or wall shall be maintained in a neat, substantial, safe condition and shall be painted.
- (c) No sign, picture, transparency, advertisement or mechanical device which is used for the purpose of, or which does advertise or bring to notice any person or persons, or article or articles of merchandise, or any business or profession, or anything that is to be or has been sold, bartered or given away, shall be placed, or caused to be placed or to be maintained, or caused to be maintained, upon the outward face of such fence or wall; except that the business carried on, maintained or conducted within such fenced or walled enclosure may be advertised by use of a space not exceeding six (6) feet in height and fifteen (15) feet in length on each side of such enclosure.

(11-2000)

- (d) Gates for access to the premises shall swing inwardly, and such gates shall be kept closed when the premises are not open for business.
- (e) That no junk or secondhand article shall be piled, or permitted to be piled, in excess of the height of the enclosing fence or wall or nearer than two (2) feet thereto.
- (f) That all gas, oil, or other inflammable liquid shall be drained and removed from any inoperable motor vehicle located thereon.
- (g) That the premises shall be so arranged that reasonable inspection or access to all parts of the premises can be had at any time by the proper fire, health, police and building authorities. (h) That no license shall hereafter be issued until the provisions of this Division have been complied with.

*(Retitled to "Junk Yard— Operating Rules" and amended 2-23-1987 by O-16812 N.S.)*

**§33.1106 Pawnbrokers, Secondhand Dealers — Operating Hours**

It shall be unlawful for any person conducting, managing or carrying on the business of pawnbroker or secondhand dealer to conduct such business between the hours of 9:30 p.m. and 8:30 a.m.

*(Retitled to "Pawnbrokers, Secondhand Dealers – Operating Hours" and amended 2-23-1987 by O-16812 N.S.)*